



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

| | | | | |
|------------|------------|------------|----------------|------|
| 10/801,745 | 03/16/2004 | Hadi Srass | 2786400-000375 | 1849 |
|------------|------------|------------|----------------|------|

| | | |
|-------|------|------------|
| 49840 | 7590 | 06/14/2005 |
|-------|------|------------|

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.
5 CONCOURSE PARKWAY
STE. #900
ATLANTA, GA 30328

EXAMINER

SEMBER, THOMAS M

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/801,745

Applicant(s)

SRASS ET AL.

Examiner

Thomas M. Sember

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10-15 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/25/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ranten. Ranten discloses a ceiling fan comprising: an electric motor 25; a plurality of blades 39 coupled to said motor; a housing 73 having at least a translucent portion 79 with a peripheral edge; and a plurality of incandescent light sources 65 mounted closely adjacent said translucent portion edge; whereby light emanating from the light source is directed onto the translucent portion to illuminate the housing.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Filip. Filip discloses a ceiling fan comprising: an electric motor 40; a plurality of blades 60 coupled to said motor; a housing 22 having at least a translucent portion 36 (see column 4, lines 36-39) with a peripheral edge; and a plurality of light sources 50

Art Unit: 2875

mounted closely adjacent said translucent portion edge (as broadly claimed all four of the light sources 50 are closely adjacent each translucent portion) ; whereby light emanating from the light source is directed onto the translucent portion to illuminate the housing.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 10-11 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuwabara et al. Kuwabara et al discloses a housing 12 having at least a translucent portion 1 (see column 5, lines 31-35) with a peripheral edge; and a plurality of LED light sources 2 mounted closely adjacent said translucent portion edge; whereby light emanating from the light source is directed onto the translucent portion to illuminate the housing.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranten. Ranten discloses the claimed invention except for the teaching of using LEDs for the incandescent light sources of Ranten. It would have been obvious to one skilled in the art at the time the invention was made to substitute LEDs for the low voltage incandescent lamps of Ranten because examiner takes official notice that these types of low voltage light sources are interchangeable in the illumination art and LEDs are most commonly used because they are highly efficient and last longer than other conventional light sources, such as incandescent lamps.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-3 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Filip. Filip discloses the claimed invention except for the teaching of using incandescent bulbs or LEDs for the fan light source of Filip. It would have been obvious to one skilled in the art at the time the invention was made to substitute LEDs or Incandescent lamps for the low voltage lamp of Filip because examiner takes official notice that these types of low voltage light sources are interchangeable in the

illumination art and LEDs are most commonly used because they are highly efficient and last longer than other conventional light sources, such as LED lamps.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwabara et al. Kuwabara et al discloses the claimed invention except for the teaching of using incandescent bulbs for the LEDs of Kuwabara et al. It would have been obvious to one skilled in the art at the time the invention was made to substitute Incandescent lamps for the LEDs of Kuwabara et al since the examiner takes official notice that these types of low voltage amps are interchangeable in the illumination art for providing effective low voltage lighting.

Allowable Subject Matter

Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons for allowance, none of the prior art of record alone or in combination teaches or fairly suggest the claimed details of claim 1 further including "a plate is coupled to said housing, said plate having a series of openings; and wherein said light sources are mounted within said openings."

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Magno, Jr. et al discloses an illuminated fan which is similar to applicant's invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M Sember
Primary Examiner
Art Unit 2875
